



# **LOS ANGELES COUNTY COMMUNITY AND SENIOR SERVICES**

**RFP No.: AAA-TLA-1014**

## **REQUEST FOR PROPOSALS FOR TRADITIONAL LEGAL ASSISTANCE (TLA) PROGRAM**

**APRIL 2010**

**Prepared By:  
Los Angeles County  
Community and Senior Services  
Area Agency on Aging (AAA)  
3175 West 6<sup>th</sup> Street, Room 403  
Los Angeles, CA 90020-1708**

**Available on the Internet at:  
<http://css.lacounty.gov/>**

**REQUEST FOR PROPOSALS (RFP)  
TRADITIONAL LEGAL ASSISTANCE PROGRAM (TLA)**

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## 1.0 INTRODUCTION

### 1.1 Purpose and General Information

1.1.1 The purpose of this RFP is to seek qualified contractors from local public/government entities and non-profit (for-profit organizations do not qualify) organizations to operate Older Americans Act (OAA) of 1965 (Amended in 2006), Traditional Legal Assistance (TLA) Program under the administration of Los Angeles County Community & Senior Services (CSS) and in accordance with all applicable federal, state, and local laws, regulations, and guidance. The TLA Program will consist of eight (8) primary services (See Appendix B, Statement of Work, Section 3.0 Specific Tasks).

1.1.1.1 **Administrative and Judicial Representation:** In-person representation provided by either Staff or Volunteer Attorney(s) to Senior Clients who are before an administrative or judicial tribunal. Administrative and Judicial representation may involve, but is not limited to, the following areas: public benefits, consumer and home equity fraud, housing issues, health care, protective services, defense of guardianship, abuse, neglect, and age discrimination.

1.1.1.2 **Senior Center Site Consultation:** Provision of consultation Services to Clients at designated Senior Center Sites using Staff or Volunteer Attorneys. This may include legal referrals to other legal resources or legal interpretation/advice in areas, including but not limited to the following: public benefits, consumer and home equity fraud, housing issues, health care, protective services, defense of guardianship, abuse, neglect, and age discrimination.

1.1.1.3 **Pro Se Services:** Services such as assistance with document preparation, i.e., health directives and wills that assist Senior Clients in preparing for self representation.

1.1.1.4 **Volunteer Attorney Recruitment, Training, and Supervision:** Creation and maintenance of a comprehensive Volunteer Attorney recruitment and training program.

1.1.1.5 **Lay Advocate Training:** A Lay Advocate is a person in the community who will be trained by the Proposer to enable her/him to act as a Lay Advocate to Senior Clients as permitted by law. Topics shall include, but are not limited to: public benefit eligibility, application procedures, and determination appeal procedures.

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- 1.1.1.6 **Technical Assistance to Lay Advocates:** In person technical assistance to previously trained Lay Advocates consisting of advice, direction, and/or consultation providing specific legal information to address a specific legal need.
- 1.1.1.7 **Community Legal Education:** Provision of monthly Community Legal Education presentations at designated Senior Center Sites on topics of legal interest to Senior and Caregiver Clients such as preventative measures against consumer fraud, housing issues, advanced directives for healthcare, wills and trusts, and related issues.
- 1.1.1.8 **Traditional Legal Services to Caregiver Clients:** In person representation provided by either Staff or Volunteer Attorney(s) to Caregiver Clients who are before an administrative or judicial tribunal. Services may also include the provision of legal advice/counseling to Caregiver Clients with legal needs associated with her or his care giving responsibilities. Such legal needs include but are not limited to: public benefits, consumer and home equity fraud, housing issues, health care, protective services, defense of guardianship, abuse, neglect, and age discrimination.
- 1.1.2 The population to be served under the TLA Program consists of two eligible Client categories as defined in Title III, Part A, Sections 302(3) and 372(b) of the OAA. Individuals are eligible to be a TLA Client if he/she meets one of the following criteria (Also see Section 2.0 Eligibility Criteria in Appendix B, Statement of Work).
- 1.1.2.1 **Senior Clients (Title III B):** An Older Individual (a person who is sixty (60) years of age or older; or
- 1.1.2.2 **Caregiver Clients (Title III E):** Under Caregiver Clients there are two (2) eligible Client subcategories: Family Caregiver Clients and Grandparent/Relative Caregiver Clients. Individuals are considered Caregiver Clients and are eligible for Services as Family Caregivers or Grandparent/Relative Caregivers if they meet all of the respective requirements stated below.
- 1.1.2.2.1 **Family Caregiver Clients:** An adult (18 years of age or older) family member or another individual who is an informal (i.e., unpaid) provider of in-home or community care to an Older Individual (of any age) with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.

1.1.2.2.1.1 In order to receive TLA Services, a Family Caregiver Client must provide care to a Care Receiver. In order to be considered a Care Receiver for the purposes of the TLA Program either the definition of "frail" in OAA Section 102(22) must be satisfied, or the Care Receiver (of any age) must have Alzheimer's disease or a related disorder with neurological and organic brain dysfunction.

(A) "Frail" is defined as an Older Individual who is determined to be functionally impaired because the individual either:

- Is unable to perform at least two Activities of Daily Living (ADLs), which may include bathing, toileting, dressing, feeding, breathing, transferring and mobility and associated tasks, without substantial human assistance, including verbal reminding, physical cueing, or supervision.
- Due to cognitive or other mental impairment requires substantial supervision because the Older Individual behaves in a manner that poses a serious health or safety hazard to the individual or to others.

1.1.2.2.1.2 Grandparent/Relative Caregiver: For the purposes of this program, a Grandparent or a Relative Caregiver is defined as a grandparent or step-grandparent of a Child, (for purposes of this Program, a Child is defined as an individual who receives care from a Grandparent/Relative Caregiver and who is not more than 18 years of age or who is an individual (of any age) with a Disability or Severe Disability) or a relative of a Child by blood, marriage, adoption, or other legal relationship, who is 55 years of age or older, and who meets the following additional criteria stated in the Title III E, Section 372(a)(2) of the OAA:

1.1.2.2.1.2.1 Lives with a Child (but not the older adult parent of the Child);

1.1.2.2.1.2.2 Is the primary caregiver of the Child because the biological or adoptive parents are unable or unwilling to serve as the primary caregiver of the Child; and

1.1.2.2.1.2.3 Has a legal relationship with the Child, such as legal custody or guardianship, or is raising the Child informally.

1.1.3 **Authority:** Older Americans Act, Title III, Part B and E, Section 321 and Sections 371 - 374 (42 U.S.C. Sections 3030s), California Department of Aging Program Memoranda, and CSS Program Memoranda/Directives provide authority for the requirements of the TLA Program.

1.1.4 **About the Los Angeles County Area Agency on Aging:** CSS has been designated a local Area Agency on Aging (AAA) by the California Department of Aging (CDA). The Los Angeles County Area Agency on Aging planning and service area (PSA) is designated by CDA as PSA 19. PSA 19 includes Los Angeles County, excluding the City of Los Angeles (which is designated as its own Area Agency on Aging PSA 25). The Los Angeles County Area Agency on Aging is located at 3175 West 6<sup>th</sup> Street, Los Angeles, CA 90020.

Established in 1975, the Los Angeles County AAA is responsible for identifying unmet needs of older adults and functionally-impaired adults as well as planning, coordinating, and implementing programs that promote health, dignity, and well-being of older adults residing in Los Angeles County. The mission of the Los Angeles County AAA is to stimulate progress towards the creation of a home and community-based long-term care system that maximizes consumer independence and dignity and is responsive and accessible to Los Angeles County's diverse population of older adults and functionally-impaired adults, as well as their families.

1.1.5 **Funding Availability:** For the expected four (4) year term of the anticipated contract, 2010 – 2014, Los Angeles County anticipates the maximum annual funding for the entire TLA Program will be approximately \$382,000 (July 1, 2010 – June 30, 2011) The chart below, titled "Traditional Legal Assistance Program (TLA) Est. Annual Funding/Service Units", provides an overview of the funding allocations and service units for each TLA service category by Supervisorial District. This is an estimate only; actual funding amounts may vary.



1.1.5.1 Proposers should be aware that funding for this program is contingent upon the availability of federal, state and local funds and that some contracts may be recommended for funding levels less than the amounts proposed. It is the intent of Los Angeles County (County) to have the Proposal submitted made a part of the resulting contract should the Proposal be recommended for funding. The County may negotiate a modification after the Proposal has been selected to ensure that all necessary program requirements are included. Upon modification by the County of the precise award levels, the Proposer may opt not to enter into a County contract if they believe they cannot achieve the objectives of their proposed program at a reduced amount.

1.1.5.2 **Program Goals and Funding Requested by Proposer:** Successful Proposers will be required to deliver each of the service requirements described in Appendix B, Statement of Work, as well as Appendix C, Performance Requirements Summary (PRS) Chart of this RFP. Services that do not meet the standards listed will not be funded. Proposers are required to establish a proposed unit rate for the required units of service. The proposed unit rate shall not exceed the maximum reimbursement rates specified in Appendix B, Statement of Work. Proposers proposing rates in excess shall be deemed non-responsive and not considered further.

1.1.5.3 **Funding Allocation Plan:** The funds will be allocated to the five (5) Supervisorial Districts (SD) based on a funding formula adopted and approved by the Los Angeles County Board of Supervisors (Board of Supervisors). Proposers may apply to serve a portion of one Supervisorial District (SD), an entire SD, or multiple SDs (or portions thereof). Funding allocations by SD is a strategy for determining the amount of funds allocated to each SD, and is not meant to restrict or dictate the Proposer's options regarding service areas.

1.1.5.3.1 The following are estimated allocations for Fiscal Year 2010-2011. Based on the 2000 Census, there are an estimated 881,917 seniors living within the county limits of Los Angeles. The chart below allocates the total proposed federal, state and county dollars available for TLA Services in each Supervisorial District.

1.1.5.3.2 The funding allocations and service unit distributions to the five (5) Supervisorial

Districts utilizes a funding formula which is driven by the demographic composition of each area (factoring in the Client population/poverty/minorities) with a percentage weight given to each portion of the population. The expected number of Service Units and Total Funding are estimates only.

- 1.1.5.3.3 Performance-Based contracting (PBC) is the basis for all County related contracts for all services under this RFP. Under PBC, all contracts will be paid based on the number of qualifying units provided at the contracted unit rate of payment. The County has elected to use this method of payment to encourage greater accountability for effective delivery of services while providing Contractors more flexibility.

### 1.1.6 Traditional Legal Assistance Program (TLA) Est. Annual Funding/Service Units

	Admin/Judicial Representation		Senior Site Consultation		Pro Se Services		Volunteer Attorney Recruitment	
Sup. Dist.	Est. Units	Est. \$\$	Est. Units	Est. \$\$	Est. Units	Est. \$\$	Est. Units	Est. \$\$
1	804	44,206	300	13,500	200	9,000	25	1,125
2	482	26,524	180	8,100	120	5,400	15	675
3	129	7,073	48	2,160	32	1,440	4	180
4	868	47,743	324	14,580	216	9,720	27	1,215
5	932	51,279	348	15,660	232	10,440	29	1,305
	3,215	176,825	1,200	54,000	800	36,000	100	4,500

	Lay Advocate Training		Technical Assistance		Community Education		TLA Services to Caregivers	
Sup. Dist.	Est. Units	Est. \$\$	Est. Units	Est. \$\$	Est. Units	Est. \$\$	Est. Units	Est. \$\$
1	25	1,125	25	625	119	5,344	377	20,748
2	15	675	15	375	71	3,206	226	12,449
3	4	180	4	100	19	855	60	3,320
4	27	1,215	27	675	128	5,771	407	22,408
5	29	1,305	29	725	138	6,199	439	24,068
	100	4,500	100	2,500	475	21,375	1,509	82,993

## 1.2 Overview of Solicitation Document

This Request for Proposals (RFP) is composed of the following parts:

- **INTRODUCTION:** Specifies the Proposer's minimum mandatory requirements, provides information regarding some of the requirements of the Contract and explains the solicitation process.
- **PROPOSAL SUBMISSION REQUIREMENTS:** Contains instructions to Proposers in how to prepare and submit their Proposal.
- **SELECTION PROCESS AND EVALUATION CRITERIA:** Explains how the Proposals will be selected and evaluated.
- **APPENDICES:**
  - **A - SAMPLE CONTRACT:** Lists the terms and conditions in the Contract.
  - **B - STATEMENT OF WORK:** Explains in detail the Statement of Work to be performed by the Contract.

- **C - PERFORMANCE REQUIREMENTS SUMMARY (PRS) CHART:** Minimum required services and performance standards to be monitored during the Contract term.
- **D - TECHNICAL EXHIBITS:** Exhibits that accompany the Statement of Work.
- **E - REQUIRED FORMS:** Forms contained in this section must be reviewed, completed (if applicable) and included in the Proposal.
- **F - TRANSMITTAL FORM TO REQUEST A SOLICITATION REQUIREMENTS REVIEW:** Transmittal sent to Department requesting a Solicitation Requirements Review.
- **G - COUNTY OF LOS ANGELES POLICY ON DOING BUSINESS WITH SMALL BUSINESS:** County Policy.
- **H - JURY SERVICE ORDINANCE:** County Code.
- **I - LISTING OF CONTRACTORS DEBARRED IN LOS ANGELES COUNTY:** Contractors who are not allowed to contract with the County for a specific length of time.
- **J - IRS NOTICE 1015:** Provides information on Federal Earned Income Credit.
- **K - SAFELY SURRENDERED BABY LAW:** County Program.
- **L - DETERMINATION OF CONTRACTOR NON-RESPONSIBILITY AND CONTRACTOR DEBARMENT:** County Code.
- **M - BACKGROUND AND RESOURCES: CALIFORNIA CHARITIES REGULATION:** An information sheet intended to assist Nonprofit agencies with compliance with SB 1262 - the Nonprofit Integrity Act of 2004 and identify available resources.
- **N – DEFAULTED PROPERTY TAX REDUCTION PROGRAM:** County Code.

### 1.3 Terms And Definitions

Throughout this RFP, references are made to certain persons, groups, or departments/agencies. For convenience, a description of specific definitions can be found in Appendix A, Sample Contract, Attachment XVI, Definitions.

## **1.4 Minimum Mandatory Requirements**

Interested and qualified Proposers that can demonstrate their ability to successfully provide the required services outlined in Appendix A, Sample Contract and Appendix B, Statement of Work, of this RFP are invited to submit a Proposal, provided they meet the following requirement(s):

- 1.4.1 Proposer must have a minimum of five (5) years of experience providing TLA Program services to eligible Clients or services equivalent or substantially similar to the Services stated in Appendix B, Statement of Work, Section 3.0 Specific Tasks;
- 1.4.2 Proposer shall be a non-profit or public/government entity. For-profits do not qualify under this RFP and will not be considered;
- 1.4.3 Proposer's Mission Statement shall clearly state serving Senior and/or Caregiver Clients as stated in Appendix B, Statement of Work, Section 2.0 Eligibility Criteria as their primary target population;
- 1.4.4 Proposer must demonstrate the ability to meet the staffing requirements specified in Appendix B, Statement of Work, 5.0 Contractor Personnel;
- 1.4.5 Proposer must demonstrate the ability to meet the Service Unit Requirement specified in Section 1.1.6 of this RFP to all five Supervisorial Districts to eligible clients as specified in Appendix B, Statement of Work, 2.0 Client Eligibility.
- 1.4.6 Proposer must have a cash reserve equal to the amount it would cost to operate the program for one month. Grant costs may not be included in cash reserves;
- 1.4.7 Proposers shall demonstrate the ability to match a minimum of 25% of its total program costs for the term of the Contract;
- 1.4.8 Proposer shall have the capacity to provide TLA services to other advocacy efforts such as the long-term care ombudsman program;
- 1.4.9 Proposer shall have the capacity to provide TLA services to institutionalized, isolated, and homebound Senior and Family Caregiver Clients; and
- 1.4.10 Proposer shall have the capacity to provide TLA services in the principal language spoken by Clients in areas where a significant number of Clients do not speak English as their principal language.

## **1.5 County Rights & Responsibilities**

The County has the right to amend the RFP by written addendum. The County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available on the CSS website listed below. It is recommended that all Proposers check the website periodically for information pertaining to this solicitation and for recently posted addenda:

<http://css.lacounty.gov/>

Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the Proposal not being considered, as determined in the sole discretion of the County. The County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

## **1.6 Contract Term**

The term of the Contract resulting from this RFP will be for a four (4) year period commencing on July 1, 2010 – June 30, 2014 following the Board of Supervisors approval. The term is conditional on the continuing availability of Federal and State funds. Funding during the contract term shall also be contingent upon the Proposer's performance as specified in this RFP and/or resulting Contract and ongoing community needs.

## **1.7 Contract Rates**

The Contractor's rates shall remain firm and fixed for the term of the Contract. The Contract (hourly, daily, monthly, etc.) amount may be adjusted annually based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics' Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County Area for the most recently published percentage change for the twelve (12) month period preceding the Contract anniversary date, which shall be the effective date for any cost of living adjustment. However, any increase shall not exceed the general salary movement granted to County employees, as determined by the Chief Executive Office, as of each July 1 for the prior twelve (12) month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in County employee salaries; no cost of living adjustments will be granted.

## **1.8 Days of Operation**

Successful Contractors shall be required to provide TLA Services, as appropriate, for the demographics associated with the service area (site location). The Contractor's office shall be open a minimum of 8 hours per day between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. The

Contractor is not required to provide services on County recognized holidays. The County's Contracts Management Manager will provide a list of the County holidays to the Contractor at the time the Contract is approved, and annually, at the beginning of the calendar year.

## **1.9 Contacts With County Personnel**

All contact regarding this RFP or any matter relating thereto, must be in writing and may be mailed or e-mailed as follows:

Carol Domingo, Contracts Management Manager  
Community & Senior Services  
Contracts Management Division, AAA Section  
RE: TLA RFP  
3175 West 6<sup>th</sup> Street, Box 24  
Los Angeles, CA 90020-1708  
[AAARFP@css.lacounty.gov](mailto:AAARFP@css.lacounty.gov)  
Telephone: (213) 351-5090

If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their Proposal from further consideration.

## **1.10 Final Contract Award by the Los Angeles County Board of Supervisors**

Notwithstanding a recommendation of a Department, agency, individual, or other, the Los Angeles County Board of Supervisors (Board of Supervisors) retains the right to exercise its judgment concerning the selection of a Proposal and the terms of any resultant agreement, and to determine which Proposal best serves the interests of the County. The Board of Supervisors is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

## **1.11 Mandatory Requirement to Register on County's WebVen**

Prior to a contract award, all potential Contractors must register in the County's WebVen. The WebVen contains the Vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at [http://lacounty.info/doing\\_business/main\\_db.htm](http://lacounty.info/doing_business/main_db.htm). *There are underscores in the address between the words 'doing business' and 'main db'.*

## **1.12 County Option To Reject Proposals**

The County may, at its sole discretion, reject any or all Proposals submitted in response to this RFP. The County shall not be liable for any costs incurred by

the Proposer in connection with the preparation and submission of any Proposal. The County reserves the right to waive inconsequential disparities in a submitted Proposal.

## 1.13 Protest Process

1.13.1 Under Board Policy No. 5.055 (Services Contract Solicitation Protest), any prospective Proposer may request a review of the requirements under a solicitation for a Board-approved services contract, as described in Section 1.13.3 below. Additionally, any actual Proposer may request a review of a disqualification or of a proposed contract award under such a solicitation, as described respectively in the Sections below. Under any such review, it is the responsibility of the Proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a solicitation or a proposed contract award, as the case may be.

1.13.2 Throughout the review process, the County has no obligation to delay or otherwise postpone an award of contract based on a Proposer's protest. In all cases, the County reserves the right to make an award when it is determined to be in the best interest of the County of Los Angeles to do so.

1.13.3 **Grounds for Review** Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 (Services Contract Solicitation Protest) are limited to the following:

- Review of Solicitation Requirements (Reference Section 2.4 in the Proposal Submission Requirements Section)
- Review of a Disqualified Proposal (Reference Section 3.3 in the Selection Process and Evaluation Criteria Section)
- Review of Proposed Contractor Selection (Reference Section 3.7 in the Selection Process and Evaluation Criteria Section)

## 1.14 Notice To Proposers Regarding The Public Records Act

1.14.1 Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, at such time as (a) with respect to the recommended Proposer's proposal, Department completes contract negotiations and obtains a letter from an authorized officer of the recommended Proposer that the negotiated contract is a firm offer of the recommended Proposer, which shall not be revoked by the recommended Proposer pending the Department's completion of the process under County Policy No. 5.055 and approval by the Board of Supervisors (Board); and (b) with respect to each Proposer requesting a County Review Panel, the County Review Panel convenes as a result of such



Proposer's request; and (c) with respect to all other Proposers, Department recommends the recommended Proposer(s) to the Board and such recommendation appears on the Board agenda proposals submitted in response to this solicitation become a matter of public record, with the exception of those parts of each proposal which are justifiably defined by the Proposer as business or trade secrets, and plainly marked as "Trade Secret," "Confidential," or "Proprietary."

1.14.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. **A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. The Proposers must specifically label only those provisions of their respective bid/proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.**

## **1.15 Indemnification and Insurance**

Contractor shall be required to comply with the indemnification provisions contained in Appendix A, Sample Contract, Part II, Section 44.0 Indemnification. The Contractor shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with the associated amounts specified in Appendix A, Sample Contract, Part I, Section 4.0 Insurance Requirements.

## **1.16 SPARTA**

A County program, known as 'SPARTA' (Service Providers, Artisan and Tradesman Activities) may be able to assist potential Contractors in obtaining affordable liability insurance. The SPARTA Program is administered by the County's insurance broker, Municipality Insurance Services, Inc. For additional information, Proposers may call Municipality Insurance Services at (800) 420-0555, or can access their website directly at [www.2sparta.com](http://www.2sparta.com).

## **1.17 Injury & Illness Prevention Program (IIPP)**

Contractor shall be required to comply with the State of California's Cal OSHA's regulations. Section 3203 of Title 8 in the California Code of Regulations requires all California employers to have a written effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

## **1.18 Background and Security Investigations**

Background and security investigations of Contractor and Contractor's staff may be required at the discretion of the County as a condition of beginning and

continuing work under any resulting Contract. The cost of background checks is the responsibility of the Contractor.

**Security Awareness Training:** The Security Awareness Training process is mandated by the CDA to enable all CDA affiliates to understand information security responsibilities and the consequences of infractions, and to integrate information security practices into daily work. All successful Proposers must read, complete, and maintain a copy of the certification of completion for each employee within thirty (30) days of the start date of any Contractor or new employee. For more information access the website at: <http://www.aging.ca.gov/>.

## **1.19 Confidentiality and Independent Contractor Status**

As appropriate, Contractor shall be required to comply with the Confidentiality provision contained in Appendix A, Sample Contract, Part II, Section 17.0 Confidentiality and the Independent Contractor Status provision contained in Part II, Section 45.0 in Appendix A, Sample Contract.

## **1.20 Conflict of Interest**

No County employee whose position in the County enables him/her to influence the selection of a Contractor for this RFP, or any competing RFP, nor any spouse of economic dependent of such employee, shall be employed in any capacity by a Proposer or have any other direct or indirect financial interest in the selection of a Contractor. Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code (County Code) as stated in Appendix E, Required Forms, Exhibit 5, Certification of No Conflict of Interest.

## **1.21 Determination of Proposer Responsibility**

1.21.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible Proposers.

1.21.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any contracts, including but not limited to, County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities. Labor law violations which are the fault of the subcontractors and of which the Proposer had no knowledge shall not be the basis of a determination that the Proposer is not responsible.

- 1.21.3 The County may declare a Proposer to be non-responsible for purposes of this Contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or omission which indicates a lack of business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.
- 1.21.4 If there is evidence that the apparent highest ranked Proposer may not be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 1.21.5 If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.
- 1.21.6 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

## **1.22 Proposer Debarment**

- 1.22.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from bidding or proposing on, or being awarded, and/or performing work on other County contracts for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: (1) violated a term of a contract with the County or a nonprofit corporation created by the County; (2) committed an act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; (3) committed an act or offense which indicates a lack of

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business integrity or business honesty; or (4) made or submitted a false claim against the County or any other public entity.

- 1.22.2 If there is evidence that the apparent highest ranked Proposer may be subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 1.22.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and if so, the appropriate length of time of the debarment. The Proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 1.22.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 1.22.5 If a Proposer has been debarred for a period longer than five (5) years, that Proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the Proposer has adequately demonstrated one or more of the following: (1) elimination of the grounds for which the debarment was imposed; (2) a bona fide change in ownership or management; (3) material evidence discovered after debarment was imposed; or (4) any other reason that is in the best interests of the County.
- 1.22.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where (1) the Proposer has been debarred for a period longer than five (5) years; (2) the debarment has been in effect for at least five (5) years; and (3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is

presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.

1.22.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.

1.22.8 These terms shall also apply to proposed subcontractors of Proposers on County contracts.

1.22.9 Appendix I provides a link to the County's website where there is a listing of Contractors that are currently on the Debarment List for Los Angeles County.

### **1.23 Proposer's Adherence to County's Child Support Compliance Program**

Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant Contractor (County Code Chapter 2.202).

### **1.24 Gratuities**

#### **1.24.1 Attempt to Secure Favorable Treatment**

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the Contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of the Contract.

#### **1.24.2 Proposer Notification to County**

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall

be made either to the County manager charged with the supervision of the employee or to the County Auditor Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

#### **1.24.3 Form of Improper Consideration**

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

### **1.25 Notice to Proposers Regarding the County Lobbyist Ordinance**

The Los Angeles County Board of Supervisors has enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or contract must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each Proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the Proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is **not** on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting the Familiarity with the County Lobbyist Ordinance Certification as set forth in Appendix E, Required Forms Exhibit 6 as part of their Proposal.

### **1.26 Federal Earned Income Credit**

The Contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice No. 1015 Reference, Appendix J.

### **1.27 Consideration of GAIN/GROW Participants for Employment**

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to

the Proposer's employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award. Proposers shall complete and return the form, Attestation of Willingness to Consider GAIN/GROW Participants, as set forth in Appendix E, Required Forms, Exhibit 9, along with their Proposal.

## **1.28 County's Quality Assurance Plan**

After contract award, the County or its agent will evaluate the Contractor's performance under the Contract on a periodic basis. Such evaluation will include assessing Contractor's compliance with all terms in the Contract and performance standards identified in the Statement of Work. Contractor's deficiencies which the County determines are severe or continuing, and that may jeopardize performance of the Contract, will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by the County and Contractor. If improvement does not occur consistent with the corrective action measures, the County may terminate the Contract in whole or in part, or impose other penalties as specified in the Contract.

## **1.29 Recycled Bond Paper**

Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Appendix A, Sample Contract, Part II, Section 68.0, Recycled Bond Paper.

## **1.30 Safely Surrendered Baby Law**

The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Appendix K of this solicitation document and is also available on the Internet at [www.babysafela.org](http://www.babysafela.org) for printing purposes.

## **1.31 County Policy on Doing Business with Small Business**

1.31.1 The County has multiple programs that address small businesses. The Board of Supervisors encourages small business participation in the County's contracting process by constantly streamlining and simplifying our selection process and expanding opportunities for small businesses to compete for our business.

1.31.2 The Local Small Business Enterprise Preference Program requires the Company to complete a certification process. This program and how to obtain certification are further explained in Section 1.33 of this RFP.

1.31.3 The Jury Service Program provides an exception to the Program if a company qualifies as a Small Business. It is important to note that each Program has a different definition for Small Business. You may qualify as a Small Business in one Program but not the other. Further explanations of the Programs are provided in Section 1.32, Jury Service Program.

1.31.4 The County also has a Policy on Doing Business with Small Business that is stated in Appendix G.

## 1.32 Jury Service Program

The prospective contract is subject to the requirements of the County's Contractor Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Contractors should carefully read the Jury Service Ordinance, Appendix H, and the pertinent jury service provisions of the Sample Contract, Appendix A, Part II, Section 15.0, Compliance with Jury Service Program, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Contractors and their Subcontractors. Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

1.32.1 The Jury Service Program requires Contractors and their Subcontractors to have and adhere to a written policy that provides that its employees shall receive from the Contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Contractor or that the Contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a Contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours, if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Contractor has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.

1.32.2 There are two ways in which a Contractor might not be subject to the Jury Service Program. The first is if the Contractor does not fall within the Jury Service Program's definition of "Contractor". The Jury Service Program defines "Contractor" to mean a person, partnership, corporation or other entity which has a contract with the County or a subcontract with a County Contractor and has received or will receive an aggregate sum of \$50,000 or more in any twelve (12) month period under one or more County



contracts or subcontracts. The second is if the Contractor meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Contractors that have 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this Contract is less than \$500,000, and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 1.32.3 If a Contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Contractor must so indicate in the Certification Form and Application for Exception, Exhibit 10 in Appendix E, Required Forms, and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the Contractor's application, the County will determine, in its sole discretion, whether the Contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

### **1.33 Local Small Business Enterprise Preference Program**

- 1.33.1 The County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C.2 of the Los Angeles County Code.
- 1.33.2 A business which is certified as small by the Small Business Administration (SBA) or which is registered as small on the federal Central Contractor Registration data base may qualify to request the Local SBE Preference in a solicitation.
- 1.33.3 Businesses must complete the Required Form, Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form, Exhibit 7 in Appendix E, Required Forms with their proposal. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain the Local SBE Preference.

### **1.34 Local Small Business Enterprise (SBE) Prompt Payment Program**

It is the intent of the County that Certified Local SBEs receive prompt payment for services they provide to County departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

### **1.35 Notification to County of Pending Acquisitions/Mergers by Proposing Company**

The Proposer shall notify the County of any pending acquisitions/mergers of their company. This information shall be provided by the Proposer on Appendix E, Required Form, Exhibit 1, Proposer's Organization Questionnaire/Affidavit. Failure of the Proposer to provide this information may eliminate its Proposal from any further consideration.

### **1.36 Transitional Job Opportunities Preference Program**

1.36.1 In evaluating Proposals, the County will give preference to businesses that are certified by the County as Transitional Job Opportunity vendors, consistent with Chapter 2.205 of the Los Angeles County Code. A Certified Transitional Job Opportunity vendor is, and has been such for three (3) years, an entity: 1) that is a nonprofit organization recognized as tax exempt pursuant to section 501 (c) (3) of the Internal Revenue Service's Code; set forth, under penalty of perjury, such information as requested by the County on either electronic or hard copy forms, along with their application form and three most recent annual tax returns to the Department with their Proposal response to the contracting solicitation for which they are competing; 2) has been in operation for at least one year providing transitional job and the related supportive services to program participants; and 3) provides a profile of their program with a description of their program components designed to assist program participants, number of past program participants, and any other information requested by a contracting department.

1.36.2 Transitional Job Opportunities vendors must request the preference in their solicitation response and may not receive the preference until their certification has been affirmed by the applicable department. County must verify the Transitional Job Opportunity vendor certification prior to applying the preference. Sanctions and financial penalties may apply to a Proposer that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a Transitional Job Opportunities vendor.

1.36.3 To request the Transitional Job Opportunities Preference, Proposer must complete the Transitional Job Opportunities Preference Application,

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Exhibit 13 in Appendix E, Required Forms and submit it along with all supporting documentation with their Proposal.

### **1.37 Contractor's Obligations as a "Business Associate" Under the Health Insurance Portability and Accountability Act of 1996 And the Health Information Technology for Economic and Clinical Health Act**

Contractor shall be required to comply with the Administrative Simplification requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) as in effect and as may be amended and with applicable provision of the Health Information Technology for Economic and Clinical Health Act (HITECH), as contained in Appendix A, Sample Contract, Exhibit E, Attachment XIII.

### **1.38 Proposer's Charitable Contributions Compliance**

1.38.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable contributions. Among other requirements, those subject to the Charitable Purposes Act must register with the California Registry of Charitable Trusts. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices and documentation. Charities with over \$2 million of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.

1.38.2 All prospective contractors must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the Charitable Contributions Certification, Exhibit 12 as set forth in Appendix E, Required Forms. A completed Exhibit 12 is a required part of any agreement with the County.

1.38.3 In Exhibit 12, prospective contractors certify either that:

- they have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement, **OR**

- they are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.

1.38.4 Prospective County contractors that do not complete Exhibit 12 as part of the solicitation process may, in the County's sole discretion, be disqualified from contract award. A County contractor that fails to comply with its obligations under the Charitable Purposes Act is subject to either contract termination or debarment proceedings or both (County Code Chapter 2.202).

### **1.39 Defaulted Property Tax Reduction Program**

1.39.1 The prospective Contract is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program") (Los Angeles County Code, Chapter 2.206). Prospective Contractors should carefully read the Defaulted Tax Program Ordinance, Appendix N, and the pertinent provisions of the Sample Contract, Appendix A, Section 25.0, both of which are incorporated by reference into and a part of this solicitation. The Defaulted Tax Program applies to both Contractors and their Subcontractors.

1.39.2 Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any contract that may be awarded pursuant to this solicitation or shall verify that they are exempt from the Defaulted Tax Program by completing Certification of Compliance with the County's Defaulted Property Tax Reduction Program, Exhibit 14, in Appendix E, Required Forms of the RFP. Failure to maintain compliance, or to timely cure defects, may be cause for termination of a Contract or initiation of debarment proceedings against the non-compliance Contractor (Los Angeles County Code, Chapter 2.202).

1.39.3 RFPs that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

## **2.0 PROPOSAL SUBMISSION REQUIREMENTS**

This Section contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their Proposal.

### **2.1 County Responsibility**

The County is not responsible for representations made by any of its officers or employees prior to the execution of the Contract unless such understanding or representation is included in the Contract.

## 2.2 Truth and Accuracy of Representations

False, misleading, incomplete, or deceptively unresponsive statements in connection with a Proposal shall be sufficient cause for rejection of the Proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final.

## 2.3 RFP Timetable

### The timetable for this RFP is as follows:

- Release of RFP ..... April 12, 2010
- Proposers Conference Date ..... April 23, 2010
- Written Questions Due ..... April 23, 2010
- Request for a Solicitation Requirements Review Due ..... April 26, 2010
- Questions and Answers (Q&A)(Posted on Website) ..... April 30, 2010
- Proposals due by (Pacific Standard Time) ..... May 13, 2010, 3:00 P.M.
- Evaluation Period ..... May 13, 2010 – May 27, 2010
- Notification of Evaluation Results ..... May 31, 2010
- Debriefing/Selection Review Period ..... May 31, 2010 – June 14, 2010
- Tentative Date of Contract Award (Mailed) ..... June 14, 2010
- Contract and Services Begin ..... July 1, 2010

## 2.4 Solicitation Requirements Review

Any person or entity may seek a Solicitation Requirements Review by submitting Appendix F, Transmittal Form to Request a Solicitation Requirements Review to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

- 2.4.1 The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document;
- 2.4.2 The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
- 2.4.3 The request for a Solicitation Requirements Review is received by the Department by **April 26, 2010, 5:00 p.m.;**
- 2.4.4 The request for a Solicitation Requirements Review itemizes in appropriate detail each matter contested and factual reasons for the requested review; and
- 2.4.5 The request for a Solicitation Requirements Review asserts either that:

- 2.4.5.1 application of the minimum mandatory requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or
- 2.4.5.2 due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposers.
- 2.4.6 The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.
- 2.4.7 All Requests for Review should be submitted to:

Carol Domingo, Contracts Management Manager  
Community & Senior Services  
Contracts Management Division, AAA Section  
RE: TLA RFP/Solicitation Requirements Review  
3175 West 6<sup>th</sup> Street, Box 24  
Los Angeles, CA 90020

## 2.5 Proposers' Questions

Proposers may submit written questions regarding this RFP by mail or e-mail to the Contracts Management Manager identified below. All questions must be received by **April 23, 2010, 5:00 p.m.** All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.

- 2.5.1 When submitting questions please specify the RFP section number/letter and page number and quote the passage that prompted the question. This will ensure that the question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.
- 2.5.2 Questions may address concerns that the application of minimum mandatory requirements, evaluation criteria and/or business requirements would unfairly disadvantage Proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from Proposers. Questions should be addressed to:

Carol Domingo, Contracts Management Manager  
Community & Senior Services  
Contracts Management Division, AAA Section  
RE: TLA RFP/Q&A  
3175 West 6<sup>th</sup> Street, Box 24  
Los Angeles, CA 90020  
[AAARFP@css.lacounty.gov](mailto:AAARFP@css.lacounty.gov)

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Telephone: (213) 351-5090

## 2.6 Proposers Conference

A **Proposers Conference** will be held to discuss the RFP. During which, County staff will respond to questions from potential Proposers. The conference is scheduled as follows:

April 23, 2010  
10:00 AM – 12:00 PM  
3175 West Sixth Street, Room 105  
Los Angeles, CA 90020-1708

**Parking:** For your convenience, parking in CSS' parking structure located at 523 Shatto Place will be made available by reservation. Please send an email to CSS at: [AAARFP@CSS.LACOUNTY.GOV](mailto:AAARFP@CSS.LACOUNTY.GOV) by **April 20, 2010**. Please insert "Parking for TLA Proposers Conference" in the subject line of the e-mail. Meter Parking is available on Shatto Place, Vermont Avenue and Sixth Street.

## 2.7 Preparation of the Proposal

The Business and Cost Proposals shall be bound together in one three (3) ring binder and submitted in the prescribed format. An original Business and Cost Proposal and three copies, a total of 4 binders, shall be submitted as specified in Section 2.10, Proposal Submission of this RFP. Any Proposal that deviates from this format may be rejected without review at the County's sole discretion.

- 2.7.1 Proposals must be typed (on 8 ½" by 11" paper), Single spaced between each line, with margins set at 1.0 inch or greater, and a standard twelve (12) Arial letter quality font.
- 2.7.2 Each page of the Business and Cost Proposal must have the heading of the Proposer's Name, RFP Title, and the type of Proposal (Business or Cost Proposal) in the upper right-hand corner of the page.
- 2.7.3 The Proposal shall clearly indicate in each section of the Business Proposal the Section Heading, Section Letter and/or Number (if applicable) (e.g., Proposal's Approach to Provide Required Services, Section C.1) and double space in between sections.
- 2.7.4 The Proposer shall include a detailed budget and shall clearly indicate each budget line item being responded to in the Cost Proposal (e.g. Other Cost, Staff Training, etc.) and double-space in between sections.
- 2.7.5 Proposer shall number each page of the Proposal sequentially.
- 2.7.6 Each section of the Business and Cost Proposals shall be tabbed and clearly identified in the table of contents and following the order mentioned

in Sections 2.8 and 2.9 of this RFP. All attachments must be attached immediately after the narrative section the Proposer is responding.

2.7.7 For the Business Proposal, the limit for all answers combined is a total of 20 pages (single sided). The page limitation does not include attachments.

2.7.8 For the Cost Proposal, the limit for all answers combined is a total of 15 pages (single sided). The page limitation does not include attachments.

## 2.8 Business Proposal Format

The content and sequence of the Proposal must be as follows:

### 2.8.1 Proposer's Organization Questionnaire/Affidavit and Required Support Documentation

The Proposer shall complete, sign and date the Proposer's Organization Questionnaire/Affidavit, Exhibit 1, Appendix E, Required Forms. **The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant (Proposer) in a Contract.**

Taking into account the structure of the Proposer's organization, Proposer shall determine which of the below referenced supporting documents the County requires. If the Proposer's organization does not fit into one of these categories, upon receipt of the Proposal or at some later time, the County may, in its discretion, request additional documentation regarding the Proposer's business organization and authority of individuals to sign Contracts on behalf of Proposer's business organization.

If the below referenced documents are not available at the time of Proposal submission, Proposers must request the appropriate documents from the California Secretary of State and include a statement on the status of the request in its proposal.

#### 2.8.1.1 Required Support Documents for Corporations, Limited Liability Company (LLC), or Limited Partnership (To be submitted with the Proposal):

2.8.1.1.1 **Corporations:** The Proposer must provide a copy of the corporation's "Certificate of Good Standing" with the State of California or state of incorporation and the most recent "Statement of Domestic (or Foreign) Stock Corporation", as filed with the California Secretary of State or state of incorporation, with Proposal. If Proposer's most recent "Statement of Domestic (or Foreign) Stock Corporation" has only the "No change in information" box



checked, the Proposer must also submit the most recent "Statement of Information", as filed with the California Secretary of State, which includes a list of the corporate officers.

**2.8.1.1.2 Limited Liability Companies:** Proposers must provide a copy of the most recent "Statement of Domestic (or Foreign) Stock Corporation", as filed with the California Secretary of State or state of incorporation. If the Proposer's most recent "Statement of Domestic (or Foreign) Stock of Incorporation" has the "No change in information" box checked, the Proposer must also submit the most recent "Statement of Information", as filed with the California Secretary of State, which includes a list of the corporate officers.

**2.8.1.1.3 Limited Partnership:** The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

## **2.8.2 Table of Contents**

List all materials included in the Proposal. Include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

## **2.8.3 Proposer's Qualifications**

Demonstrate that the Proposer's organization has the experience and financial capability to perform the required services. The following sections must be included:

### **2.8.3.1 Proposer's Background and Experience**

Provide the Proposer's mission statement; give a brief history of the organization, indicate the number of years in operation, and indicate Proposer's experience in providing TLA Services or services equivalent or similar to the services identified in Appendix B, Statement of Work, Section 3.0 Specific Tasks. Proposer shall state the type of organization the Proposer is, whether a non-profit or public/government entity.

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**2.8.3.2 Proposer's References**

The Proposer must complete and include Required Forms, Exhibits 2, 3, and 4 as set forth in Appendix E. The same references may be listed on forms Prospective Contractor References, Exhibit 2, Prospective Contractor List of Contracts, Exhibit 3, and Prospective Contractor List of Terminated Contracts, Exhibit 4 of Appendix E. It is the Proposer's responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference is accurate and current.

County may disqualify a Proposer if:

- references fail to substantiate Proposer's description of the services provided;
- references fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel; or
- the Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to ensure the point of contact is available during normal working hours and to inform the point of contact of what is considered normal working hours.

**2.8.3.2.1 Prospective Contractor References**

Proposer must provide references, a list of contracts, or business arrangements where the same or similar scope of services were provided within the last five (5) years using Exhibit 2 of Appendix E. It is the Proposer's responsibility to ensure that the firm's name, contact person and phone number for each reference is accurate and current. Proposer should list five (5) references. If the Proposer has or has had a contract with CSS within the last five (5) years, the Proposer should list at least one of those contracts as a reference. Should the County not be able to obtain information on this contract/business arrangement, the County may deem it a failure to meet the minimum mandatory requirements. Proposer must complete Prospective Contractor List of References, Appendix E, Exhibit 2.

**2.8.3.2.2 Prospective Contractor List of Contracts**

Proposer must provide a brief description and a list of all contracts the Proposer has or had within the last five (5) years including any contracts with Los Angeles County or any other contract with any other public entity using Exhibit 3 of Appendix E. The description shall include the contract period, type of service provided, dollar amount, location of other party(ies), and contact person's name and title. Amendments and extensions to contracts are considered the same as the primary contract and should not be listed separately. Failure to provide this information may result in a determination of non-responsiveness. Proposer must complete the form, Prospective Contractor List of Contracts, Appendix E, Exhibit 3.

**2.8.3.2.3 Prospective Contractor List of Terminated Contracts**

Proposer must provide a list of terminated contracts. Listing must include contracts terminated within the past five (5) years with a reason for termination. The Vendor must list a minimum of five (5) references on the Prospective Contractor List of Terminated Contracts Appendix E, Exhibit 4. If qualifying experience, as noted in Exhibits 2 and/or 3 of Appendix E was gained in terminated contract, please repeat the reference to the contract on this list. Failure to provide this information may result in a determination of non-responsiveness.

**2.8.3.3 Proposer's Pending Litigation and Judgments**

Identify by name, case and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer.

## **2.8.4 Proposer's Approach to Provide Required Services**

Provide a description of the methodology Proposer will use to meet the work requirements outlined in the Statement of Work, Appendix B and PRS Chart, Appendix C. Describe in detail how the services will be performed to meet the intent of the Statement of Work (SOW).

**2.8.4.1 Qualifications of Proposer's Personnel:** Proposers must currently have the ability to meet the staffing requirements listed in Appendix B, Statement of Work, Section 5.0, Contractor Personnel. Describe the experience, training, education, and accomplishments of Proposer's staff based on the requirements specified in Appendix B, Statement of Work, Section 5.0, Contractor Personnel. Copies of all diplomas, resumes and job specifications are to be identified by staff member and included in the Proposal. A copy of either a Los Angeles County Bar Certificate of Standing (or any equivalent certificate from another California County) or a California Supreme Court Certificate of Standing shall be submitted for every Staff Attorney required by this Contract.

**2.8.4.2 Administrative and Judicial Representation Services to Senior Clients:** Describe the Proposer's process for providing Administrative and Judicial Representation to Senior Clients, from the time a potential Senior Client requests information on Services, to the intake/screening process, needs assessment, case plan development/implementation, and client termination. Explain how the Proposer will meet the language needs of Senior Clients and how the Proposer will ensure services to institutionalized, isolated, and homebound Senior Clients.

**2.8.4.3 Senior Site Consultation:** Describe the Proposer's methodology for: 1) selecting each Senior Center Site or other appropriate location (to ensure services to all five Supervisorial Districts), 2) how the Proposer will make services available to Senior Clients, 3) how the Proposer will meet the language capability and cultural sensitivity needs of Senior Clients, and 4) how the Proposer plans to sustain Senior Site Consultation Services throughout the Contract term to all Five Supervisorial Districts.

**2.8.4.4 Pro Se Services:** Describe the Proposer's process for providing Pro Se Services to Senior Clients, from the time a potential Senior Client requests information on Services, to the intake/screening process, needs assessment, case plan development/implementation, and client termination. Explain

how the Proposer will meet the language needs of Senior Clients and how the Proposer will ensure services to institutionalized, isolated, and homebound Senior Clients.

- 2.8.4.5 **Volunteer Attorney Recruitment, Training, and Supervision:** Describe the Proposer's plan to recruit, train and supervise Volunteer Attorneys. Give examples of recruitment activities/location, list of training areas/topics and why the areas/topics were selected. Describe the Proposer's history of working with and retaining volunteers and how the Proposer plans to retain the services of Volunteer Attorneys during the term of the Contract.
- 2.8.4.6 **Lay Advocate Training/Technical Assistance:** Describe the Proposer's plan to recruit, train and supervise Lay Advocates. Give examples of recruitment activities/locations, list of training areas/topics, and why the areas/topics were selected. Describe the Proposer's plan on how the Proposer will retain the services of Lay Advocates during the term of the Contract. Provide an example on how the Proposer will provide Technical Assistance to Lay Advocates and how access to either Staff or Volunteer Attorneys will be ensured to Lay Advocates throughout the term of the Contract.
- 2.8.4.7 **Community Legal Education:** Describe the Proposer's methodology for: 1) selecting each Senior Center Site or other appropriate location, 2) how Legal Education topics are chosen, 3) how the Proposer will meet the language capability, cultural sensitivity, and accommodate the disabilities of the audience by the selection of the presenter, educational materials, and other educational tools (e.g., power point presentations, audio/visual devices, videos, demonstrations, etc.).
- 2.8.4.8 **TLA Services to Caregiver Clients:** Describe the Proposer's process for providing TLA Services to Caregiver Clients from the time a potential Caregiver Client requests information on Services, to the intake/screening process, needs assessment, case plan development/implementation, and client termination. Explain how the Proposer will meet the language needs of Caregiver Clients and how the Proposer will ensure services to isolated and homebound Caregiver Clients.
- 2.8.4.9 **Facilities, Equipment, and Material Resources:** Describe the facilities and material resources (e.g., computers, hand-outs, flyers, etc.) the Proposer intends to utilize in order to provide TLA Services proposed. Explain how these facilities

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and resources comply with the Program requirements and how the Proposer's program operations will ensure service to targeted population.

- 2.8.4.10 **Proposer's Objectives to RFP Objectives:** Describe how the Proposer will meet the Service Unit Requirement using the estimated funding and approximate service units outlined in Section 1.1.6 (in the Est. Annual Funding/Service Units Chart) of the RFP. Specify how the Proposer plans to meet the service unit requirements in each target area(s) within each Supervisorial District(s) the Proposer plans to serve (Attach Appendix D, Exhibits 1 and 3, Page 3 of 3, Proposed Program Services) during the fiscal year.

- 2.8.5 **Proposer's Green Initiatives:** Present a description of proposed plan for complying with the green requirements as described in Section 8.0 of the SOW. Describe your organization's current environmental policies and practices and those proposed to be implemented.

2.8.6 **Proposer's Quality Control Plan**

Present a comprehensive Quality Control Plan to be utilized by the Proposer as a self-monitoring tool to ensure the required services are provided as specified in Appendix B, Statement of Work and Appendix C, Performance Requirements Summary (PRS) Chart.

The following factors may be included in the plan:

Activities to be monitored to ensure compliance with all Contract requirements;

- Monitoring methods to be used;
- Frequency of monitoring;
- Samples of forms to be used in monitoring;  
Title/level and qualifications of personnel performing monitoring functions; and
- Documentation methods of all monitoring results, including any corrective action taken.

2.8.7 **Terms and Conditions in Sample Contract, and Requirements of the Statement of Work (SOW)**

- 2.8.7.1 It is the duty of every Proposer to thoroughly review the Sample Contract, Appendix A; Statement of Work, Appendix B; and PRS Chart, Appendix C to ensure compliance with all terms, conditions and requirements. It is the County's expectation that in submitting a Proposal the Proposer will accept, as stated, the County's terms and conditions in the

Sample Contract, Appendix A and the standards provided in Appendix C, PRS Chart and the County's requirements in the Statement of Work, Appendix B. The submission of a proposal will constitute Proposer's acceptance of all terms and conditions in the Sample Contract, Appendix A, the Statement of Work, Appendix B and the PRS Chart, Appendix C.

- 2.8.7.2 The County reserves the right to make changes to the Sample Contract and its appendices and exhibits at its sole discretion. Further, the County may negotiate modifications to the Contract after the selection of successful proposers to ensure that all necessary program requirements are covered before the Contract is signed.

## **2.8.8 Business Proposal Required Forms**

Proposer shall include the following forms in the following order as provided in Appendix E, Required Forms (Complete, sign, and date all forms):

- Exhibit 5 Certification of No Conflict of Interest
- Exhibit 6 Familiarity with the County Lobbyist Ordinance Certification
- Exhibit 7 Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form (if applicable)
- Exhibit 8 Proposer's EEO Certification
- Exhibit 9 Attestation of Willingness to Consider GAIN/GROW Participants
- Exhibit 10 Contractor Employee Jury Service Program - Certification Form and Application for Exception
- Exhibit 11 Certification of Independent Price Determination & Acknowledgement of RFP Restrictions
- Exhibit 12 Charitable Contributions Certification
- Exhibit 13 Transitional Job Opportunities Preference Program (if applicable)
- Exhibit 14 Certification of Compliance with the County's Defaulted Property Tax Program Form

- 2.8.8.1 Proposer shall also include the following (current) documents within the Business Proposal:

- Proposer's Organizational Chart including staffing plan
- Proposer's Board of Directors Roster
- Tax Status/Business License (provide copies)
- By-Laws (provide a copy)
- Articles of Incorporation (provide a copy)
- Contractor shall be required to procure, maintain, and provide to County evidence of Contractor's insurance at

the coverage levels required by County. The Contractor's insurance shall include, but is not limited to, general liability, automotive, workers' compensation, and employer's liability, crime and property coverage. Proposer shall provide proof of its ability to procure and maintain insurance coverage at levels required in the Sample Contract, Appendix A, Part I, Section 4.0 Insurance Requirements.

- 2.8.8.2 **Proposer's Financial Capability:** Proposer must provide copies of the organization's most current internal financial statements and prior two (2) fiscal years (for example 2009 and 2008) audited financial statements in accordance with Office of Management and Budget (OMB) Circular A-133 or A-122. Statements should disclose the organization's assets, liabilities and net worth. At a minimum, audited financial statements should include the Balance Sheet (Statement of Financial Positions), Income Statement (Statement of Operations), and the Retained Earnings Statement. If an audited financial statement in accordance with OMB Circular A-133 or A-122 is not available, the Proposer must submit documents which include the following information: 1) company's assets, 2) liabilities, 3) net worth, 4) Balance Sheet (Statement of Financial Positions), 5) Income Statement (Statement of Operations), 6) Retained Earnings Statement, and 7) any available audited statements. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

## 2.9 Cost Proposal Format

2.9.1 The content and sequence of the Cost Proposal must be as follows:

- 2.9.1.1 Cover Page identifying, at a minimum, the RFP and the Proposer's name.
- 2.9.1.2 Proposed Program Services (PPS) (Appendix D, Exhibits 1 and 3)
- 2.9.1.3 Budget, (Appendix D, Exhibits 2 and 4)
- 2.9.1.4 **Cost Effectiveness of Proposer's Service Program (Budget Narrative):** Provide a Budget Narrative for each funding source (Title III B and Title III E) detailing each cost category listed in the Budget Summary included in Appendix D, Exhibits 2 and 4, Page 1 of 5. The Narratives must provide a formula and rationale for each line item amount



including grant and match funds as listed in the Budget Summary. Explain all computations, items, cost categories, and cost benefits in the same order shown on the Budget Summary. Identify all paid personnel, including subcontractors, by name in the Budget Narrative. Show how costs were determined for all subcontractors. All costs should be reasonable in relation to the Program to provide for the maximum Program and cost efficiency. Proposer's who provide a narrative only detailing the computation without explaining the benefit of the costs to the Program will be considered non-responsive.

- 2.9.2 Successful Proposers will be required to submit a completed/final PPS and Budget (Appendix A, Sample Contract, Exhibits C and D) prior to contract execution.

## **2.10 Proposal Submission**

The original Business Proposal, Cost Proposal and three (3) numbered copies shall be enclosed in a single box, plainly marked in the upper left-hand corner with the name and address of the Proposer and bear the words:

**"FOR AAA-TLA-1014"**

**The Proposal(s) shall be delivered or mailed to:**

Community & Senior Services  
Carol Domingo, Contracts Management Manager  
Contracts Management Division, AAA Section  
RE: TLA RFP/RFP Submission  
3175 West 6<sup>th</sup> Street, Box 24  
Los Angeles, CA 90020-1708

- 2.10.1 **It is the sole responsibility of the submitting Proposer to ensure that its Proposal is received before the submission deadline. Submitting Proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any Proposals received after the scheduled closing date and time for receipt of Proposals, as listed in Section 2.3, RFP Timetable, will not be accepted and will be returned to the sender unopened. Timely hand-delivered Proposals are acceptable. No facsimile (fax) or electronic mail (e-mail) copies will be accepted.**
- 2.10.2 All proposals shall be firm offers and may not be withdrawn for a period of two hundred and seventy (270) days following the last day to submit proposals.

## 2.11 Reference Documents

Proposers are responsible for reviewing the documents that are applicable to this RFP. Certain documents will be available for viewing during CSS operating hours prior to the due date of this RFP. Proposers must request an appointment to review these items. All appointment requests submitted to CSS must specify which document(s) the Proposer requests to view; indicate the Section within the RFP that the document(s) is referenced; and provide a contact name and phone number so that CSS can contact arrange and confirm the appointment. The following is a list of documents that will be made available:

- Authorizing statutes including federal and state regulations
- Applicable Federal Office of Management and Budget (OMB) Administrative Cost Policy Circulars
- AAA Policy Manuals and Memoranda
- AAA Reporting Requirements and Procedures
- AAA TLA Monitoring Tool/AAA Request For Proposals Rating Instrument

All appointments regarding this matter or any matter relating thereto, must be in writing and may be mailed or e-mailed as follows:

Community & Senior Services  
Carol Domingo, Contracts Management Manager  
Contracts Management Division, AAA Section  
RE: TLA RFP/Reference Documents Review  
3175 West 6<sup>th</sup> Street, Box 24  
Los Angeles, CA 90020-1708  
[AAARFP@css.lacounty.gov](mailto:AAARFP@css.lacounty.gov)  
Telephone: (213) 351-5090

## 3.0 SELECTION PROCESS AND EVALUATION CRITERIA

### 3.1 Selection Process

- 3.1.1 The County reserves the sole right to judge the contents of the Proposals submitted pursuant to this RFP and to review, evaluate and select the successful Proposal(s). The selection process will begin with receipt of the Proposal on **May 13, 2010, 3:00 p.m.**
- 3.1.2 Evaluation of the Proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the Proposals and will use the evaluation approach described herein to select prospective Contractors.
- 3.1.3 All Proposals will be evaluated based on the criteria listed below. All Proposals will be scored and ranked in numerical sequence from high to

low. The County may also, at its option, conduct site visits, if appropriate. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.

- 3.1.4 The County also reserves the right, prior to an evaluation (or during) and/or prior to an award of a contract, in its discretion, to request additional information/documentation regarding the Proposer's submitted Business Proposal and/or Cost Proposal. Responses to the Department shall be submitted in writing to the contact listed in Section 1.9, Contact with County Personnel and/or the County may conduct a site visit to verify the information contained in the Proposal or the adequacy of the Proposers facility/ies.
- 3.1.5 The County may be required by Federal and/or State regulations to submit a request to Contract with a Proposer prior to a final contract award.
- 3.1.6 After a prospective Contractor has been selected, the County and the prospective Contractor(s) will negotiate a Contract for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Contract cannot be negotiated, the County may, at its sole discretion, begin contract negotiations with the next qualified Proposer who submitted a Proposal, as determined by the County.
  - 3.1.6.1 Selected Proposals shall be made part of the final contract. The recommendation to award a contract will not bind the Board of Supervisors to award a contract to the prospective Contractor.
- 3.1.7 The County retains the right to select a Proposal(s) other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal(s) is the more overall qualified, cost-effective, responsive, responsible and in the best interests of the County.

### **3.2 Adherence to Minimum Mandatory Requirements (Pass/Fail)**

County shall review the Proposer's Organization Questionnaire/Affidavit, Exhibit 1 of Appendix E, Required Forms and determine if the Proposer meets the minimum mandatory requirements as outlined in Section 1.4 of this RFP.

Failure of the Proposer to comply with the minimum mandatory requirements may eliminate its Proposal from any further consideration. The County may elect to waive any informality in a Proposal if the sum and substance of the Proposal is present.

### 3.3 Disqualification Review

A proposal may be disqualified from consideration because a Department determined it was non-responsive at any time during the review/evaluation process. If a Department determines that a proposal is disqualified due to non-responsiveness, the Department shall notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

3.3.1 A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 3.3.1.1 The person or entity requesting a Disqualification Review is a Proposer;
- 3.3.1.2 The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
- 3.3.1.3 The request for a Disqualification Review asserts that the Department's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

3.3.2 The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

### 3.4 Proposal Evaluation and Criteria

Any reviews conducted during the evaluation of the Proposal may result in a point reduction. The maximum points allowed for the combined Proposals (Business and Cost Proposal) submitted will be one thousand (1,000) points, with six hundred (600) points available for the Business Proposal and four hundred (400) points available for the Cost Proposal. A threshold score of seven hundred (700) points combined is required to be eligible for a contract. However, a score of seven hundred (700) points is not a guarantee that a Proposer will be awarded a contract. The evaluation will consist of the following point allocations:

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**3.4.1 Business Proposal Evaluation (maximum 600 points)**

The Proposer will be evaluated on the qualifications of its personnel; knowledge of the targeted population; description of the methodology to be used to meet the County's requirements and ability to meet the service unit requirements shown in the chart titled, "Traditional Legal Assistance Services (TLA) Est. Annual Funding/Service Units" (Section 1.1.6).

- 3.4.1.1 Proposer's Background and Experience (60 Points):** Proposer will be evaluated on their mission statement and history/experience in serving the target population, experience and capacity as a corporation or other entity to perform the required services based on information provided in Section 2.8.3.1 of the RFP.
- 3.4.1.2 Proposer's References (75 Points):** Proposer will be evaluated on the verification of references provided in accordance with Section 2.8.3.2.1, Prospective Contractor References, Section 2.8.3.2.2, Prospective Contractor List of Contracts, and Section 2.8.3.2.3, Prospective Contractor List of Terminated Contracts of the RFP and at County's discretion, a review of the County's Contract Data Base.
- 3.4.1.3 Proposer's Pending Litigation (25 Points):** A review will be conducted to determine the magnitude of any pending litigation or judgments against the Proposer pursuant to Section 2.8.3.3 of the RFP.
- 3.4.1.4 Qualifications of Proposer's Personnel (60 Points):** Proposer will be evaluated on the ability to meet the staffing requirements outlined in Appendix B, Statement of Work, Section 5.0 Contractor Personnel, pursuant to Section 2.8.4.1 of the RFP.
- 3.4.1.5 Administrative and Judicial Representation Services to Senior Clients (45 Points):** Proposer will be evaluated on the methodology described by Proposer to ensure Administrative and Judicial Representation Services are provided in accordance with Appendix B, Statement of Work, Section 3.2, meet the language needs, and ensure Services are provided to all eligible Senior Clients, especially institutionalized, isolated, and homebound Senior Clients.
- 3.4.1.6 Senior Site Consultation (35 Points):** Proposer will be evaluated on Proposer's methodology, as described by Proposer, in selecting Sites, or other appropriate locations, to ensure Senior Site Consultation Services are provided to all Five Supervisorial Districts, how the Proposer will make

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services available, how the Proposer's plan will meet the language/cultural needs of Senior Clients. The Proposer will also be evaluated on its description of how the Proposer plans to sustain the Services throughout the Contract term in all five Supervisorial Districts.

3.4.1.7 **Pro Se Services (35 Points):** Proposer will be evaluated on the methodology described by Proposer to ensure Pro Se Services are provided in accordance with Appendix B, Statement of Work, Section 3.2, how Proposer will meet the language needs, and ensure Services are provided to all eligible Senior Clients, especially institutionalized, isolated, and homebound Senior Clients.

3.4.1.8 **Volunteer Attorney Recruitment, Training, and Supervision (35 Points):** Proposer will be evaluated on its proposed methodology to recruit, train, and supervise Volunteer Attorneys consistent with Appendix B, Statement of Work, Section 3.2.4. Proposer will also be evaluated on the Proposer's history/experience and plan on retaining Volunteer Attorneys.

3.4.1.9 **Lay Advocate Training (30 Points):** Proposer will be evaluated on its proposed methodology to recruit, train, and supervise Lay Advocates consistent with Appendix B, Statement of Work, Section 3.2.5. Proposer will also be evaluated on their plan to retain Lay Advocates; ensure access for Lay Advocates to Staff or Volunteer Attorneys; and how the Proposer will provide Technical Assistance to Lay Advocates throughout the term of the Contract.

3.4.1.10 **Community Legal Education (30 Points):** Proposer will be evaluated on its Senior Center Site and Legal Education selection process and how the Proposer will meet the language capability, cultural sensitivity, and accommodate the disabilities of the audience by the selection of the presenter, educational materials, and other educational tools (e.g., power point presentations, audio/visual devices, videos, demonstrations, etc.).

3.4.1.11 **TLA Services to Caregiver Clients (45 Points):** Proposer will be evaluated on the methodology described by Proposer to ensure TLA Services are provided in accordance with Appendix B, Statement of Work, Section 3.3, how Proposer will meet the language needs, and ensure Services are provided to all eligible Caregiver Clients, especially isolated and homebound Caregiver Clients.

**3.4.1.12 Facilities, Equipment and Material Resources (10 Points):** Proposer will be evaluated on the description of the facilities, equipment, and material resources (e.g., computers, handouts, flyers, etc.) the Proposer intends to utilize to provide TLA Program Services and how the facilities, equipment and material resources assist the Proposer in meeting TLA Program requirements.

**3.4.1.13 Proposer's Objectives to RFP Objectives (45 Points):** Proposer will be evaluated on how the Proposer plans to meet the service unit requirement based on the estimated funding and service units as specified in the Est. Annual Funding/Service Units Chart and Section 1.1.6 of this RFP.

**3.4.2 Green Initiative (10 Points):** Proposer will be evaluated on Proposer's plan for complying with the green requirements as described in Section 2.8.5 of this Proposal and on new and innovative approaches.

**3.4.3 Quality Control Plan (10 Points)**

The Proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Contract are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) Chart and based on the information provided in Appendix B, Statement of Work, Section 3.0 Scope of Work.

**3.4.4 Business Proposal Required Forms (10 Points)**

**3.4.4.1** Proposer will be evaluated on their ability to complete the following forms in the following order as provided in Appendix E, Required Forms, within the Business Proposal:

- |            |   |
|------------|---|
| Exhibit 5  | Certification of No Conflict of Interest  |
| Exhibit 6  | Familiarity with the County Lobbyist Ordinance Certification                                      |
| Exhibit 7  | Request for Local SBE Preference Program Consideration and CBE Firm/Organization Information Form |
| Exhibit 8  | Proposer's EEO Certification  |
| Exhibit 9  | Attestation of Willingness to Consider GAIN/GROW Participants                                     |
| Exhibit 10 | Contractor Employee Jury Service Program - Certification Form and Application for Exception       |

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Exhibit 11	Certification of Independent Price Determination & Acknowledgement of RFP Restrictions
Exhibit 12	Charitable Contributions Certification (if applicable)
Exhibit 13	Transitional Job Opportunities Preference Program (if applicable)
Exhibit 14	Certification of Compliance with the County's Defaulted Property Tax Program Form

3.4.4.2 The following documents must also be included within the Business Proposal (which must be current):

- Proposer's Organizational Chart including staffing plan
- Proposer's Board of Directors Roster
- Tax Status/Business License (Provide copy)
- By-Laws (Provide copy)
- Articles of Incorporation/Charter/Joint Powers (Provide copy)

3.4.4.3 Proposer will also be evaluated on their ability to procure, maintain, and provide to County evidence of Contractor's insurance at the coverage levels required by County.

**3.4.5 Proposer's Financial Capability (40 Points):** Proposer will be evaluated on the Proposer's company's most current and prior two (2) fiscal years (for example 2009 and 2008) financial statements and any significant findings which may impact the financial solvency of the Proposer. Statements should include the Proposer's assets, liabilities and net worth. The Proposer's audited statements will also be used to evaluate the Proposer's ability to meet the minimum cash reserve and match requirement as stated in the minimum mandatory requirements in Section 1.4 of this RFP.

### **3.5 Cost Proposal Evaluation Criteria (400 Points)**

**3.5.1 Cost effectiveness of the Proposer's service/program (400 Points):** The maximum number of possible points will be awarded to the lowest cost Proposals (Appendix D, Exhibits 1, 2, 3 and 4). The Cost Proposal shall be rated on the following:

3.5.1.1 Narrative (130 Points): The Proposer will be evaluated on completeness (include both a formula and justification for all budgeted costs for both funding sources).

3.5.1.2 Costs are reasonable and program related (60 Points)

3.5.1.3 Cost effectiveness (150 Points)



- 3.5.1.4 Calculations should be accurate and reflective of the Budget (60 Points)
- 3.5.2 Should one or more of the Proposers request and be granted the Local SBE Preference and/or Transitional Job Opportunities Preference, the cost component points will be determined as follows:
  - 3.5.3 **Local SBE Preference:** Five percent (5%) of the lowest cost proposed will be calculated, which shall not exceed \$50,000, and that amount will be deducted from the Cost submitted by all Local SBE Proposers who requested and were granted the Local SBE Preference.
  - 3.5.4 **Transitional Job Opportunities Preference:** Five percent (5%) of the lowest cost proposed will be calculated and that amount will be deducted from the Cost submitted by all Proposers who requested and were granted the Transitional Job Opportunities Preference.

### 3.6 Department's Proposed Contractor Selection Review

#### 3.6.1 Departmental Debriefing Process

- 3.6.1.1 Upon completion of the evaluation, the Department shall notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.
- 3.6.1.2 The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Due to the fact that contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.
- 3.6.1.3 During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see Section 3.7.2 below) if the requesting Proposer is not satisfied with the results of the Debriefing.

### 3.6.2 Proposed Contractor Selection Review

Any Proposer that has submitted a timely notice of its intent to request a Proposed Contractor Selection Review, as described in this Section, may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Contractor Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 3.6.2.1 The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
- 3.6.2.2 The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department); and
- 3.6.2.3 The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
  - 3.6.2.3.1 The Department materially failed to follow procedures specified in its solicitation document. This includes:
    - 3.6.2.3.1.1 Failure to correctly apply the standards for reviewing the proposal format requirements;
    - 3.6.2.3.1.2 Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document;
    - 3.6.2.3.1.3 Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document;
    - 3.6.2.3.1.4 The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and

not being selected as the recommended contractor;

3.6.2.3.1.5 A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation;

3.6.2.3.1.6 Another basis for review as provided by state or federal law; and

3.6.2.4 The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board. The written decision shall additionally instruct the Proposer of the manner and timeframe for requesting a review by a County Review Panel (see Section 3.7.3 below).

### 3.7 County Review Panel Process

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for review by a County Review Panel in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

A request for review by a County Review Panel may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:

3.7.1 The person or entity requesting review by a County Review Panel is a Proposer;

3.7.2 The request for a review by a County Review Panel is submitted timely (i.e., by the date and time specified by the Department); and

3.7.3 The person or entity requesting review by a County Review Panel has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are on the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 3.6.2.

Upon completion of the County Review Panel's review, the Panel will forward its report to the Department, which will provide a copy to the Proposer.

### **3.8 Disposition of Outstanding Audit/Monitoring Findings**

Proposers who have previously contracted or are currently contracting with CSS for the provision of services that have outstanding audit or monitoring findings must resolve those findings prior to award of a TLA contract. Resolving findings means CSS accepted the Proposer's corrective action plan and/or the Proposer has reimbursed CSS for questioned costs. Failure to comply with this provision will be grounds for disqualification.